



MICHIGAN
HOUSE OF REPRESENTATIVES
P.O. Box 30014
LANSING, MICHIGAN 48909-7514

MINUTES OF THE COMMITTEE
ON
LAW AND JUSTICE

Tuesday, September 25, 2018 8:30 a.m. Room 327 House Office Building

The House Standing Committee on Law and Justice was called to order by Chairman Kesto.

Members present: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Robinson, Guerra, Liberati, Wittenberg.

Members absent/excused: None.

Representative Lucido moved to adopt the minutes of May 23, 2018. There being no objection, the motion prevailed by unanimous consent.

Chairman Kesto laid the following bill before the committee:

SB 844 (Proos)	Criminal procedure; other; date on which criminal justice policy commission expires; extend.
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Trenton Miller, from Senator Proos' office, testified in support of the bill. Questions and discussion followed.

The following people submitted a card in support of the bill, but did not wish to speak:

Brandon Lanyon, representing the Prosecuting Attorneys Association of Michigan.
John S. Cooper, representing Safe and Just Michigan.

Chairman Kesto laid the committee at ease, the time being 8:42 a.m.

Vice-Chairman Lucido took the gavel and called the committee back to order, the time being 8:43 a.m.

Vice-Chairman Lucido laid the following bills before the committee:

HB 6129 (Kesto)	Probate; trusts; powers and duties of a directed trustee; provide for.
HB 6130 (Calley)	Probate; trusts; powers and duties of a directed trustee; provide for.
HB 6131 (Iden)	Probate; trusts; powers and duties of a directed trustee; provide for.

Chairman Kesto testified in support of the bills and James Spica, representing the Michigan

Probate Section of the Michigan State Bar, testified in support of the bills, with amendments.

David Worthams, representing the Michigan Bankers Association, submitted a card in support of the bills, but did not wish to speak.

Vice-Chairman Lucido laid the committee at ease, the time being 8:52 a.m.

Chairman Kesto returned to the gavel and called the committee back to order, the time being 8:53 a.m.

Chairman Kesto returned to SB 844.

Representative Guerra moved to report out SB 844, with recommendation. The motion prevailed, the vote being 12-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Guerra, Robinson, Liberati, Wittenberg.

Nays None.

Pass: None.

Chairman Kesto laid the following bill before the committee:

HB 4998 (Barrett)	Crimes; other; penalties for false representation of a peace officer; expand to include railroad officer.
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Jon Cool, representing the Michigan Railroads Association, submitted a card in support of the bill, but did not wish to speak.

Representative Lucido moved to report out HB 4998, with recommendation. The motion prevailed, the vote being 11-1-0.

FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Graves, Howrylak, Roberts, Theis, Albert, Chang, Guerra, Liberati, Wittenberg.

Nays: Rep. Robinson.

Pass: None.

Chairman Kesto laid the following bills before the committee:

HB 4607 (Lucido)	Juveniles; criminal procedure; age of juvenile court jurisdiction and location of juvenile detention in some instances; modify.
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HB 4653 (Kosowski)	Mental health; other; age of juvenile in disposition of persons found not guilty by reason of insanity; modify.
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HB 4659	(Santana)	Criminal procedure; youthful trainees; age eligibility for youthful trainee status; raise to 18 years.
HB 4662	(Pagel)	Juveniles; criminal procedure; age of juvenile court jurisdiction in juvenile diversion act; modify.
HB 4664	(Afendoulis)	Juveniles; criminal procedure; definition of adult in Michigan indigent defense commission act; modify.
HB 4675	(Guerra)	Juveniles; criminal procedure; factors to consider when determining jurisdiction over juveniles in certain circumstances; modify.
HB 4676	(Garrett)	Juveniles; criminal procedure; age of juvenile jurisdiction in youth rehabilitation services act; modify.
HB 4677	(Chang)	Corrections; other; family advisory board; establish.
HB 4678	(Howrylak)	State agencies (existing); corrections; permissible purposes for closing open meeting to include discussion of certain information by family advisory board; establish.
HB 4685	(Webber)	Criminal procedure; sentencing; procedures for sentencing juveniles prosecuted for personal protection order violation; revise code of criminal procedure to revise age limit.
HB 4696	(Singh)	Criminal procedure; other; reporting the number of juveniles under the age of 18 tried for felony or misdemeanors as adults; require.
HB 4741	(Howrylak)	Corrections; jails; time confined in cells for incarcerated individuals under 21 years of age; develop policies to limit.
HB 4744	(Noble)	Juveniles; other; detention of juveniles in certain circumstances; modify.
HB 4753	(Runestad)	Juveniles; criminal procedure; specified juvenile violation definition; modify in probate code of 1939.
HB 4789	(Love)	Human services; county services; county child care fund reimbursement rate; increase.
HB 4793	(Jones)	Criminal procedure; sentencing; juveniles who may be sentenced in the same manner as an adult; revise criteria.

Representative Lucido, Representative Howrylak, Representative Affendoulis, Representative Brann and Representative Noble all testified in support of their bills. Questions and discussion followed.

Representative Chang, Representative Guerra and Krista Jones, from Representative Runestad's office, testified in support of their bills. Questions and discussion followed.

Representative Howrylak returned to answer further questions.

Briana Moore, representing herself, testified in support of the bills. Questions and discussion followed.

Kahryn Riley, representing the Mackinac Center for Public Policy, testified in support of the bills. Questions and discussion followed.

Aaron Kinzel, representing himself, and Reverend Joe Summers, representing the Episcopal Church of the Incarnation, testified in support of the bills. Questions and discussion followed.

Anne Suess, representing the Lansing Church of the Brethren, and Bishop Bernadel L. Jefferson, representing herself, testified in support of the bills. Questions and discussion followed.

William M. Doherty and Michelle Horn, both representing the Michigan Probate Judges Association, testified in opposition to the bills, as written, but supporting the concept. Questions and discussion followed.

Farah Hanley and Wendy Campau, both representing the Michigan Department of Health and Human Services, testified with no position on the bills. Questions and discussion followed.

Pete Lund, representing Americans for Prosperity, and Tom Hickson, representing the Michigan Catholic Conference, testified in support of the bills. Questions and discussion followed.

Meghann Keit, representing the Michigan Association of Counties, and Sandi Metcalf, representing the Family Court Administration, testified in opposition to the bills. Questions and discussion followed.

DJ Hilson, representing the Prosecuting Attorneys Association of Michigan, submitted a card in opposition to the bills, as written, and wishing to speak but unable to due to time constraints.

Jason Smith, representing the Michigan Council on Crime Delinquency, submitted a card in support of HB 4607, HB 4653, HB 4662, HB 4664, HB 4676, HB 4659 and HB 4685, wishing to speak but unable to due to time constraints.

Mark Brown, representing the Citizens for Prison Reform, submitted a card in support of the bills, wishing to speak but unable to due to time constraints.

The following people submitted a card in opposition to the bills, but did not wish to speak:

Amy Gumbrecht, representing the Wayne County Executive.
Blaine Koops, representing the Michigan Sheriffs Association.

Brian Evans, representing the Campaign for Youth Justice, submitted a card in support of HB 4607, HB 4653, HB 4662, HB 4664, HB 4676, HB 4659 and HB 4685, but did not wish to speak.

Robert Porigo Jones, representing Michigan's Children, submitted a card in support of HB 4607, HB 4653, HB 4662, HB 4664, HB 4676, but did not wish to speak.

The following people submitted a card in support of the bills, but did not wish to speak:

John Gourley, representing himself.
Korbin Felder and Natalie Holbrook, representing the American Friends Service Committee.
Joseph Williams, representing the Metro Detroit Out4Life Reentry Coalition.
Donna Lopez, representing herself.
Susan Vivian Mangold and Marsha L. Levick, representing the Juvenile Law Center.
Douglas J. Tjapkes, representing Humanity for Prisoners.
Josh Hoe, representing Nation Outside.
Joseph Williams, representing the Metro Detroit Out4Life Reentry Coalition.
Mark Soler and Jennifer Lutz, representing the Center for Children's Law and Policy.
Josh Rouner, representing The Sentencing Project.
Unitarian Universalist Church of Greater Lansing.
Alicia Guevara Warren, representing the Michigan League for Public Policy.
John S. Cooper, representing Safe and Just Michigan.
Unitarian Universalist Church of Greater Lansing.
Allan Wachendorfer, representing the National Association of Social Workers.
Kimberly Buddin, representing the American Civil Liberties Union of Michigan.
Glenn Ashley, representing Action of Greater Lansing.
Andy Johnston, representing the Grand Rapids Chamber of Commerce.
Lindsay Case Palsrock, representing the Detroit Regional Chamber.
Lois Pullano, representing herself.
Joe Haveman, representing Hope Network.
Marc Schindler, representing the Justice Policy Institute.

There being no further business before the committee, Chairman Kesto adjourned the meeting, the time being 10:30 a.m.

Representative Klint Kesto, Chair_____

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